IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

WP(C).No. 25964 of 2007(N)

PETITIONER:

KUNJU MOHAMMED, AGED 52, UMMER,
KALOOPARAMBIL HOUSE, DESABHIMANI ROAD,
KALOOR, KOCHI-17.

BY ADV. SRI.M.NARENDRA KUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO THE LOCAL SELF GOVERNMENT DEPARTMENT,
SECRETRIAT,THIRUVANANTHAPURAM.

2. KOCHI CORPORATION, REPRESENTED BY ITS
SECRETARY, OFFICE OF THE KOCHI CORPORATION,
ERNAKULAM.

3. PUBLIC INFORMATION OFFICER AND P.A.TO
SECRETARY, OFFICE OF THE KOCHI CORPORATION,
ERNAKULAM.

4. P.A.JOSSY, PALACKATHARA HOUSE,
27/2083 B, KALOOR.

R2 BY ADV. SRI.S.RAMESH BABU, SC.COCHIN CORPN.
R4 BY ADV. SRI.C.A.CHACKO
R3 BY ADV. SRI.K.J.MOHAMMED ANZAR, SR.GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 25964 OF 2007

Dated this the 16th day of October, 2007

JUDGMENT

In this Writ Petition a meat vendor complains that the 2nd respondent Corporation has not provided adequate pollution control facilities in the slaughter house previously maintained by the 2nd respondent as a result of which he is not able to sell meat.

The prayers in the Writ Petition are the following:

i. issue a writ of mandamus or any other appropriate writ, order or direction directing the 2nd respondent to provide adequate pollution control facilities in the slaughter house maintained by it, forthwith as mentioned in Ext.P2;

ii. issue a writ of mandamus or any other appropriate writ, order or direction directing the 3rd respondent to provide the information as per Exhibit.P3 under the Right to Information Act.

I have heard the submissions of Mr.M.Narendrakumar, counsel for the petitioner, Sri.C.A.Chacko, counsel for the party respondent and Sri.S.Ramesh Babu, Standing Counsel for the Corporation. It was conceded by learned counsel for the petitioner that prayer No.ii has been virtually granted since the information called for has been provided. On prayer No.i, Standing Counsel submits by referring Ext.P2

that the Pollution Control Board issued 9 directions for compliance so that the slaughter house will be free from pollution. According to the Standing Counsel of the 9 conditions, condition Nos.2, 3, 4, 5, 6 and 7 have already been complied with. It will not be difficult to comply with condition No.1. But for complying with condition Nos.8 & 9, the Corporation will require two more months' time. Learned Standing Counsel assured me that within another two months from today, all the 9 conditions in Ext.P2 would have been completely complied with. I record the above submission of the Standing Counsel and dispose of the Writ Petition accordingly.

PIUS C. KURIAKOSE, JUDGE

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